

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: 8/16/04 Name: Anthony P. Curtis, Ph.D., 46,193 Signature:

BRINKS  
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& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Kazunori Gotoh

Appln. No.: 10/085,643

Filed: February 28, 2002

For: Multi-Directional Switching Device Capable  
of Producing Good Feeling of Click

Attorney Docket No: 9281/4297

Examiner: M. Friedhofer

Art Unit: 2832

Mail Stop Patent Ext.  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Check for \$200; Transmittal Cover Letter (1p. Filed in Dup.); Request for Reconsideration of the Patent Term Adjustment (3pp.); Copy of Stamped PTO Reply Postcard Dated July 16, 2002
- ☒ Return Receipt Postcard

## Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

## Fee payment:

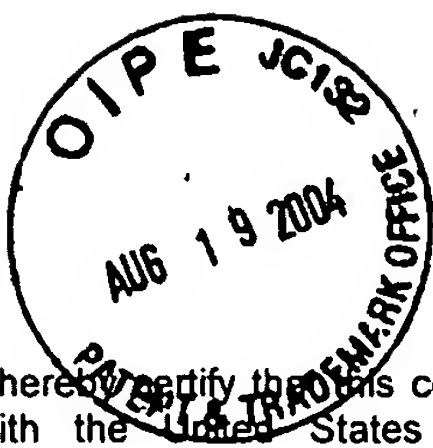
- ☒ A check in the amount of \$200 is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

8/16/04

Respectfully submitted,

  
Anthony P. Curtis, Ph.D. (Reg. No. 46,193)



DAC  
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on, 8/16, 2004

Date of Deposit

Anthony P. Curtis, Reg. No. 46,193

Name of applicant, assignee or  
Registered Representative

Signature  
8/16/04

Date of Signature

Our File No. 9281-4297

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kazunori Gotoh

Application Serial No. 10/085,643

Filing Date: February 28, 2002

For: Multi-Directional Switching Device  
Capable of Producing Good Feeling  
of Click

Examiner: Michael Friedhofer

Group Art Unit No. 2832

## REQUEST FOR RECONSIDERATION OF THE PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(d)

Mail Stop Patent Ext  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

U.S. Patent Application No. 10/085,643 has a published term adjustment under 35 U.S.C. § 154(b) of 0 days. For the reasons stated herein, reconsideration of this patent term adjustment is respectfully requested.

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## REMARKS

U.S. Patent Application No. 10/085,643 has a published term adjustment under 35 U.S.C. § 154(b) of 0 days.

The patent term adjustment for U.S. Patent 6,731,457 is calculated as shown below. Dates are specified based on the Patent Application Information Retrieval (PAIR) system Patent Term Adjustment History, attached as Exhibit B. Note that U.S. Patent Application No. 10/085,643 is not subject to a terminal disclaimer.

### Period of adjustment under 37 C.F.R. § 1.703(a)

The period of adjustment under 37 C.F.R. § 1.703(a) is the number of days beginning on the day after the date that is fourteen months after the date on which the application was filed under 35 U.S.C. § 111(a) and ending on the date of mailing of a Notice of Allowance 35 U.S.C. §151.

Applicants agree with the PTO calculation of the period of adjustment under 37 C.F.R. § 1.703(a)(1) of 386 days.

### Period of adjustment under 37 C.F.R. § 1.703(b)

The period of adjustment under 37 C.F.R. § 1.703(b) is the number of days in the period beginning on the day ("the 3 year date") after the date that is three years after the date on which the application was filed under 35 U.S.C. § 111(a).

Applicants agree with the present PTO calculation of 0 days.

### Reduction in period of adjustment under 37 C.F.R. § 1.704(b)

With respect to the grounds for adjustment set forth in 37 C.F.R. § 1.703(a)-(e), an applicant is deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods or time in excess of three months that are taken to reply to any notice or action by the Office. Any such three month period is measured from the date the notice or action was mailed to the applicant. The period of adjustment set forth in 37 C.F.R. § 1.703 shall be reduced by the number of days beginning on the day ("the 3 month date") after the date that is three months after the date of mailing of the Office communication.

A notice to file missing parts was mailed on April 10, 2002. Applicants mailed a complete response to the PTO on May 23, 2002. This response was received by the PTO on July 16, 2002 as indicated by the copy of the stamped postcard herein submitted by the Applicant. Thus, the calculated delay should have been 6 days. However, the PTO indicated that the application was complete on December 22, 2003, thereby calculating this delay as 530 days.

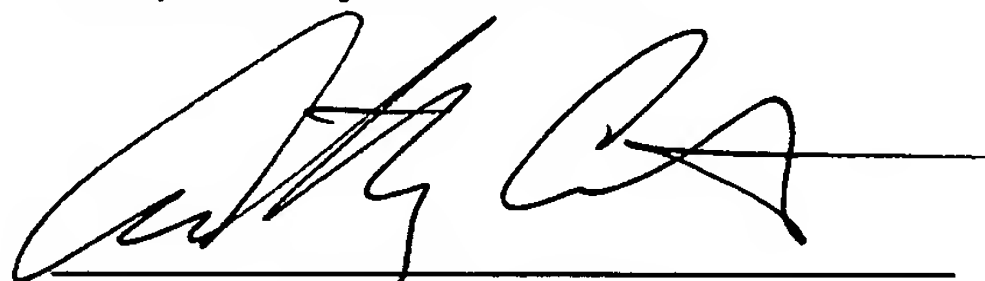
In U.S. Patent Application No. 10/085,643, the reduction in period of adjustment under 37 C.F.R. § 1.704(b) should be 6 days.

Total patent term adjustment

For the present application, the total patent term adjustment under 37 C.F.R. § 1.703(f) is the period of adjustment under 37 C.F.R. § 1.703 reduced by the reduction under 37 C.F.R. § 1.704. The total adjustment is thus 386 days – 6 days = 380 days, rather than the 0 days calculated by the PTO.

Applicant respectfully requests reconsideration of the patent term adjustment for this patent. Office personnel are invited to contact the undersigned for the Applicant via telephone if such communication would expedite this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anthony P. Curtis', written over a horizontal line.

Anthony P. Curtis, Ph.D.  
Registration No. 46,193  
Agent for Applicant

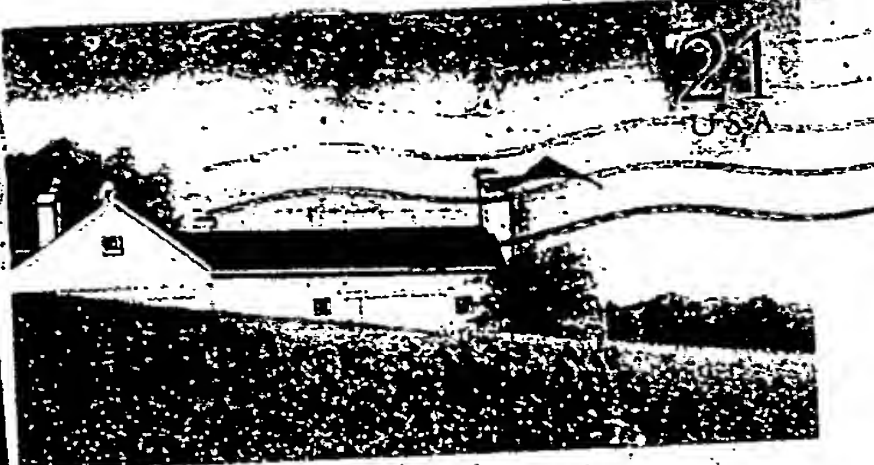
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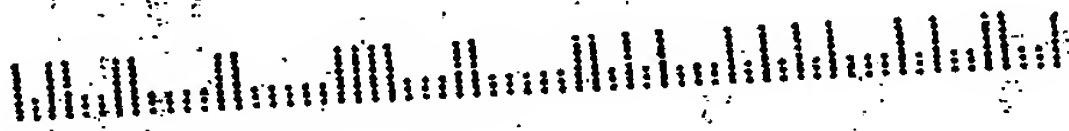


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Case No.  
Applicant

9281-4297  
AIPS

Director of The United States Patent & Trademark Office  
Washington, D.C. 20231

Please acknowledge

Our File No. 9281 4297  
Applicant: Mori Gotoh  
Commissioner for Patents  
Washington, D.C. 20231

Please acknowledge receipt of the below-identified:  
Transmittal Letter, in duplicate, Notice of Missing Parts, Response to  
Notice of Missing Parts, Declaration and Power of Attorney form,  
Assignment Document, and checks in the amount of \$870.00 and  
\$40.00

Brinks Hofer Gilson & Lione

Dated 5/23/02

Gustavo Siller, Jr.

